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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/683,417

12/24/2001

Denis J. Stemmler

F-428

2989

919

7590

05/11/2006

PITNEY BOWES INC.

35 WATERVIEW DRIVE

P.O. BOX 3000

MSC 26-22

SHELTON, CT 06484-8000

EXAMINER

MILLER, WILLIAM L

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/683,417

Applicant(s)

STEMMLE, DENIS J.

Examiner

William L. Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26,27,34,35 and 37-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26,27,34,35 and 37-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03-28-2006 has been entered.

Drawings

2. The replacement sheet of drawings received on 03-28-2006 is approved by the examiner.

Claim Rejections - 35 USC § 103

3. Claims 26, 34, 38, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb (US#2004/0020978) in view of Lee (US#4673914).

4. Regarding claims 26 and 34, Webb discloses a mailbox 10 for decontaminating mail (or a decontaminating device including a decontamination chamber) comprising: a door 12 for allowing access to the interior of the mailbox; a decontamination system 20 operatively connected to a controller 30 for decontaminating mail; and at least one divider 28 for separating mail; and a push button start switch 34 used to send a decontamination start signal to the decontamination system.

5. Webb discloses a push button start switch as opposed to a keyed start switch receiving a physical key as claimed by the applicant. (Note: As admitted by the applicant on page 7 of the Remarks portion of the Response dated 03-28-2006, the physical key is now being positively claimed). However, a push button start switch and a keyed start switch receiving a physical key

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are known equivalent starting switch structures as evidenced by Lee (col. 2, lines 15-17).

Therefore, as Lee discloses these elements as art recognized equivalents, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Webb by substituting one (push button start switch) for the other (keyed start switch). In re Fout, 675 F.2d 297, 301, 213 USPQ 532, 536 (CCPA 1982).

6. Regarding claims 38 and 39, the Webb decontamination system includes a UV source, and the divider is least partially transparent to UV radiation at least via its slotted configuration allowing the UV radiation to pass therebetween.

7. Claims 27 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb in view of Lee, as applied above to claim 26, and further in view of Stradley et al. (US#6997374).

8. Although Webb discloses a communications device, namely lamps 40,42,44, for providing status information to a user at the mailbox, Webb fails to disclose a communications device for providing status information to a remote user (such as inside a home) via a wireless network communications channel. However, Stradley discloses a mail apparatus which includes both a visual status display 51 for a user at the apparatus and a wireless network communication channel 108 (col. 6, lines 1-21) providing status information to a remote user (such as inside a home). Therefore, as taught by Stradley, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Webb by including a communications device for providing status information to a remote user (such as inside a home) via a wireless network communications channel thereby enhancing the operating efficiency of the mailbox.

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9. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Webb in view of Lee, as applied above to claim 26, and further in view of Cunningham (US#6646270).

10. Regarding claim 35, Webb fails to disclose reflective shielding as claimed. Cunningham discloses a mailbox 130 wherein its inner surfaces are coated with a reflective coating (shielding) to prevent UV radiation from escaping and to enhance sterilization (col. 2, lines 54-58). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Webb by including a reflective coating (shielding) on the inner surfaces of the mailbox to prevent UV radiation from escaping and to enhance sterilization.

Response to Arguments

11. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

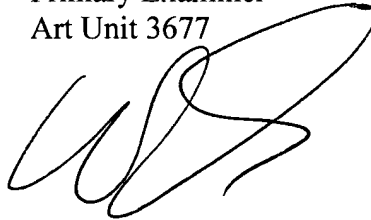
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is (571) 272-7068. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Miller
Primary Examiner
Art Unit 3677

A handwritten signature in black ink, appearing to be 'WLM', written over the printed name and title of the examiner.

WLM